

U.S. District Court
Northern District of Texas (Fort Worth)
CIVIL DOCKET FOR CASE #: 4:23-cv-00206-P

Career Colleges & Schools of Texas v. United States Department of
Education et al
Assigned to: Judge Mark Pittman
Cause: 05:702 Administrative Procedure Act

Date Filed: 02/27/2023
Jury Demand: None
Nature of Suit: 899 Other Statutes:
Administrative Procedure Act/Review or Appeal
of Agency Decision
Jurisdiction: U.S. Government Defendant

Plaintiff

Career Colleges & Schools of Texas

represented by **Allyson B Baker**
Paul Hastings LLP
2050 M Street, N.W.
Washington, DC 20036
202-551-0330
Email: allysonbaker@paulhastings.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Michael Murray
Paul Hastings LLP
2050 M Street NW
Washington, DC 20036
202-551-1730
Email: michaelmurray@paulhastings.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Philip A Vickers
Cantey Hanger LLP
Cantey Hanger Plaza
600 West 6th St Suite 300
Fort Worth, TX 76102-3685
817/877-2849
Fax: 817/877-2807
Email: pvickers@canteyhanger.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Sameer P Sheikh
Paul Hastings LLP
Litigation
2050 M Street NW
Washington, DC 20037
202-551-1700
Email: sameersheikh@paulhastings.com

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Bar Status: Not Admitted

Stephen Blake Kinnaird

Paul Hastings LLP

2050 M Street NW

Washington, DC 20036

202-551-1842

Fax: 202-551-1705

Email: stephenkinnaird@paulhastings.com

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Bar Status: Not Admitted

Katherine R Hancock

Cantey Hanger LLP

Cantey Hanger Plaza

600 W 6th St Suite 300

Fort Worth, TX 76102

817-877-2842

Fax: 817-877-2807

Email: khancock@canteyhanger.com

ATTORNEY TO BE NOTICED

Bar Status: Admitted/In Good Standing

Tor Tarantola

Paul Hastings LLP

2050 M Street NW

Washington, DC 20036

202-551-1843

Email: tortarantola@paulhastings.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Bar Status: Not Admitted

V.

Defendant

United States Department of Education

represented by **Cody Taylor Knapp**
United States Department of Justice
Civil Division
1100 L Street NW
Washington, DC 20005
202-532-5663
Fax: 202-616-8470
Email: cody.t.knapp@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Not Admitted

Christine L. Coogle

DOJ-Civ

Federal Programs Branch, Civil Division

1100 L St NW

Washington, DC 20005

202-880-0282

Email: christine.l.coogle@usdoj.gov

ATTORNEY TO BE NOTICED*Bar Status: Not Admitted***Robert Charles Merritt**

US Department of Justice

1100 L St NW

Washington, DC 20005

202-616-8098

Fax: 202-616-8470

Email: robert.c.merritt@usdoj.gov

ATTORNEY TO BE NOTICED*Bar Status: Not Admitted***Defendant****Miguel Cardona***in his official capacity*represented by **Cody Taylor Knapp**

(See above for address)

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Bar Status: Not Admitted***Christine L. Coogle**

(See above for address)

ATTORNEY TO BE NOTICED*Bar Status: Not Admitted***Robert Charles Merritt**

(See above for address)

ATTORNEY TO BE NOTICED*Bar Status: Not Admitted*

Date Filed	#	Docket Text
02/28/2023	<u>I</u> <u>1</u>	COMPLAINT against All Defendants filed by Career Colleges & Schools of Texas. (Fee Paid – ATXNDC-13549972.) Clerk to issue summons(es). In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the <u>Judges Copy Requirements</u> and <u>Judge Specific Requirements</u> is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Cover Sheet) (Vickers, Philip) Modified on 2/28/2023 (tjc). (Entered: 02/28/2023)
02/28/2023	<u>I</u> <u>2</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Career Colleges & Schools of Texas. (Clerk QC note: Affiliate entry indicated). (Attachments: # <u>1</u> Appendix to

Certificate of Interested Parties) (Vickers, Philip) (Entered: 02/28/2023)

02/28/2023	<u>13</u>	New Case Notes: A filing fee has been paid. File to: Judge O Connor. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge. Clerk to provide copy to plaintiff if not received electronically. Attorneys are further reminded that, if necessary, they must comply with Local Rule 83.10(a) within 14 days or risk the possible dismissal of this case without prejudice or without further notice. (tjc) (Entered: 02/28/2023)
02/28/2023	<u>14</u>	Summons issued as to Miguel Cardona, United States Department of Education, U.S. Attorney, and U.S. Attorney General. (tjc) (Entered: 02/28/2023)
02/28/2023	<u>15</u>	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$100; Receipt number ATXNDC-13552310) filed by Career Colleges & Schools of Texas (Attachments: # <u>1</u> Additional Page(s) Certificate of Good Standing)Attorney Sameer P Sheikh added to party Career Colleges & Schools of Texas(pty:pla) (Sheikh, Sameer) (Entered: 02/28/2023)
03/01/2023	<u>16</u>	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$100; Receipt number ATXNDC-13554294) filed by Career Colleges & Schools of Texas (Attachments: # <u>1</u> Additional Page(s) Certificate of Good Standing)Attorney Allyson B Baker added to party Career Colleges & Schools of Texas(pty:pla) (Baker, Allyson) (Entered: 03/01/2023)
03/01/2023	<u>17</u>	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$100; Receipt number ATXNDC-13555355) filed by Career Colleges & Schools of Texas (Attachments: # <u>1</u> Additional Page(s) Certificate of Good Standing)Attorney Michael Murray added to party Career Colleges & Schools of Texas(pty:pla) (Murray, Michael) (Entered: 03/01/2023)
03/08/2023	<u>18</u>	SUMMONS Returned Executed as to Miguel Cardona ; served on 2/28/2023; United States Department of Education ; served on 2/28/2023. (Hancock, Katherine) (Entered: 03/08/2023)
03/13/2023	<u>19</u>	Court Request for Recusal: Judge Reed C. O'Connor recused. Pursuant to instruction in Special Order 3-249, the Clerk has reassigned the case to Judge Mark Pittman for all further proceedings. Future filings should indicate the case number as: 4:23-cv-00206-P. (bcr) (Entered: 03/13/2023)
03/13/2023	<u>10</u>	New Case Notes: A filing fee has been paid. File to: Judge Pittman. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge. Clerk to provide copy to plaintiff if not received electronically. Attorneys are further reminded that, if necessary, they must comply with Local Rule 83.10(a) within 14 days or risk the possible dismissal of this case without prejudice or without further notice. (bcr) (Entered: 03/13/2023)
03/17/2023	<u>11</u>	NOTICE of Attorney Appearance by Cody Taylor Knapp on behalf of Miguel Cardona, United States Department of Education. (Filer confirms contact info in ECF is current.) (Knapp, Cody) (Entered: 03/17/2023)
03/17/2023	<u>12</u>	MOTION to Dismiss <i>for Improper Venue</i> , MOTION to Transfer Case out of District/Division <i>to the District of Columbia or the Austin Division of the Western District of Texas</i> () filed by Miguel Cardona, United States Department of Education (Attachments: # <u>1</u> Proposed Order)Attorney Cody Taylor Knapp added to party Miguel Cardona(pty:dft), Attorney Cody Taylor Knapp added to party United States Department of Education(pty:dft) (Knapp, Cody) (Entered: 03/17/2023)
03/17/2023	<u>13</u>	Brief/Memorandum in Support filed by Miguel Cardona, United States Department of Education re <u>12</u> MOTION to Dismiss <i>for Improper Venue</i> MOTION to Transfer Case out of District/Division <i>to the District of Columbia or the Austin Division of the Western District of Texas</i> (Knapp, Cody) (Entered: 03/17/2023)
03/17/2023	<u>14</u>	Appendix in Support filed by Miguel Cardona, United States Department of Education re <u>12</u> MOTION to Dismiss <i>for Improper Venue</i> MOTION to Transfer Case out of District/Division <i>to the District of Columbia or the Austin Division of the Western District of Texas</i> (Knapp, Cody)

(Entered: 03/17/2023)

03/22/2023	<u>15</u>	SUMMONS Returned Executed as to All Defendants. (Hancock, Katherine) (Entered: 03/22/2023)
04/02/2023	<u>16</u>	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$100; Receipt number ATXNDC-13632505) filed by Career Colleges & Schools of Texas (Attachments: # <u>1</u> Exhibit(s) Certificate of Good Standing)Attorney Stephen Blake Kinnaird added to party Career Colleges & Schools of Texas(pty:pla) (Kinnaird, Stephen) (Entered: 04/02/2023)
04/03/2023	<u>17</u>	ELECTRONIC ORDER granting <u>16</u> Application for Admission Pro Hac Vice of Stephen Kinnaird. Important Reminder: Unless excused for cause, an attorney who is not an ECF user must register within 14 days of the date the attorney appears in a case pursuant to LR 5.1(f) and LCrR 49.2(g). (Ordered by Judge Mark Pittman on 4/3/2023) (rjh) (Entered: 04/03/2023)
04/03/2023	<u>18</u>	NOTICE of Attorney Appearance by Robert Charles Merritt on behalf of Miguel Cardona, United States Department of Education. (Filer confirms contact info in ECF is current.) (Merritt, Robert) (Entered: 04/03/2023)
04/04/2023	<u>19</u>	ELECTRONIC ORDER granting <u>5</u> Application for Admission Pro Hac Vice of Sameer P. Sheikh. Important Reminder: Unless excused for cause, an attorney who is not an ECF user must register within 14 days of the date the attorney appears in a case pursuant to LR 5.1(f) and LCrR 49.2(g). (Ordered by Judge Mark Pittman on 4/4/2023) (rjh) (Entered: 04/04/2023)
04/04/2023	<u>20</u>	ELECTRONIC ORDER granting <u>6</u> Application for Admission Pro Hac Vice of Allyson B. Baker. Important Reminder: Unless excused for cause, an attorney who is not an ECF user must register within 14 days of the date the attorney appears in a case pursuant to LR 5.1(f) and LCrR 49.2(g). (Ordered by Judge Mark Pittman on 4/4/2023) (rjh) (Entered: 04/04/2023)
04/04/2023	<u>21</u>	ELECTRONIC ORDER granting <u>7</u> Application for Admission Pro Hac Vice of Michael Murray. Important Reminder: Unless excused for cause, an attorney who is not an ECF user must register within 14 days of the date the attorney appears in a case pursuant to LR 5.1(f) and LCrR 49.2(g). (Ordered by Judge Mark Pittman on 4/4/2023) (rjh) (Entered: 04/04/2023)
04/04/2023	<u>22</u>	NOTICE of Attorney Appearance by Christine L. Coogle on behalf of Miguel Cardona, United States Department of Education. (Filer confirms contact info in ECF is current.) (Coogle, Christine) (Entered: 04/04/2023)
04/05/2023	<u>23</u>	MOTION for Injunction <i>Motion for Preliminary Injunction</i> filed by Career Colleges & Schools of Texas (Vickers, Philip) (Entered: 04/05/2023)
04/05/2023	<u>24</u>	Brief/Memorandum in Support filed by Career Colleges & Schools of Texas re <u>23</u> MOTION for Injunction <i>Motion for Preliminary Injunction</i> (Vickers, Philip) (Entered: 04/05/2023)
04/05/2023	<u>25</u>	Appendix in Support filed by Career Colleges & Schools of Texas re <u>23</u> MOTION for Injunction <i>Motion for Preliminary Injunction</i> , <u>24</u> Brief/Memorandum in Support of Motion (Vickers, Philip) (Entered: 04/05/2023)
04/07/2023	<u>26</u>	RESPONSE filed by Career Colleges & Schools of Texas re: <u>12</u> MOTION to Dismiss <i>for Improper Venue</i> MOTION to Transfer Case out of District/Division <i>to the District of Columbia or the Austin Division of the Western District of Texas</i> (Sheikh, Sameer) (Entered: 04/07/2023)
04/07/2023	<u>27</u>	Appendix in Support filed by Career Colleges & Schools of Texas re <u>26</u> Response/Objection, <i>to Defendants' Motion to Dismiss or Transfer</i> (Sheikh, Sameer) (Entered: 04/07/2023)
04/10/2023	<u>28</u>	ORDER: Before the Court is Plaintiff's Response to Defendants' Motion to Dismiss for Improper Venue or to Transfer Out of District. ECF No. <u>26</u> . The Court finds that an expedited reply from Defendants is necessary. Therefore, the Court ORDERS that on or before April 14, 2023, Defendants shall file their reply to Plaintiff's response. (Ordered by Judge Mark Pittman on

4/10/2023) (fba) (Entered: 04/10/2023)

04/11/2023	<u>29</u>	Application for Admission Pro Hac Vice with Certificate of Good Standing (Filing fee \$100; Receipt number ATXNDC-13656716) filed by Career Colleges & Schools of Texas (Attachments: # <u>1</u> Additional Page(s) Certificate of Good Standing)Attorney Tor Tarantola added to party Career Colleges & Schools of Texas(pty:pla) (Tarantola, Tor) (Entered: 04/11/2023)
04/12/2023	<u>30</u>	ELECTRONIC ORDER granting <u>29</u> Application for Admission Pro Hac Vice of Tor Tarantola. Important Reminder: Unless excused for cause, an attorney who is not an ECF user must register within 14 days of the date the attorney appears in a case pursuant to LR 5.1(f) and LCvR 49.2(g). (Ordered by Judge Mark Pittman on 4/12/2023) (rjh) (Entered: 04/12/2023)
04/14/2023	<u>31</u>	REPLY filed by Miguel Cardona, United States Department of Education re: <u>12</u> MOTION to Dismiss <i>for Improper Venue</i> MOTION to Transfer Case out of District/Division <i>to the District of Columbia or the Austin Division of the Western District of Texas</i> (Knapp, Cody) (Entered: 04/14/2023)
04/17/2023	<u>32</u>	MOTION for Extension of Time to File Response/Reply to <u>23</u> MOTION for Injunction <i>Motion for Preliminary Injunction</i> filed by Miguel Cardona, United States Department of Education (Attachments: # <u>1</u> Proposed Order) (Knapp, Cody) (Entered: 04/17/2023)
04/17/2023	<u>33</u>	OPINION & ORDER: Before the Court is Defendants' Motion to Dismiss for Improper Venue or in the Alternative to Transfer. ECF No. <u>12</u> . This Court GRANTS Defendants' motion in part and TRANSFERS this case to the Western District of Texas, Austin Division. (See order for specifics) (Ordered by Judge Mark Pittman on 4/17/2023) (fba) (Entered: 04/17/2023)